



CERTIFICATE OF EXPRESS MAILING

EXPRESS MAIL LABEL NO: EL615431811US  
DATE OF DEPOSIT: July 1, 2004

I hereby certify that this transmittal and the documents referred to as enclosed therein are being deposited with the U.S. Postal Service in an envelope as "Express Mail Post Office to Addressee," under 37 CFR 1.10 on the date indicated above and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
Mark K. Dickson

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Keith G. Lintott

Application No.: 10/693,364

Filed: October 24, 2003

For: CHRYSANTHEMUM PLANT  
NAMED 'NIGHTHAWK  
YELLOW'

Art Unit: 1661

PTO Confirmation No.: 3128

Examiner: Hwu, June

PTO Atty. Docket: 10451.0054.NPUS01

**PETITION FOR EXTENSION OF TIME UNDER 37 C.F.R. § 1.136**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

It is hereby requested that the period for responding to the outstanding Office Action of March 1, 2004 be extended one month from June 1, 2004 to July 1, 2004 by the filing of this Petition and fee payment.

07/09/2004 RADOFO1 00000078 083038 10693364  
01 FC:1251 110.00 DA

DM\_US\8034112.v1

The petition fee is believed to be \$110.00 for a one-month extension under 37 C.F.R. § 1.17(a), and the Commissioner is authorized to deduct the fee from Deposit Account No. 08-3038, referencing Docket No. 10451.0054.NPUS01. A duplicate copy of this Petition is enclosed.

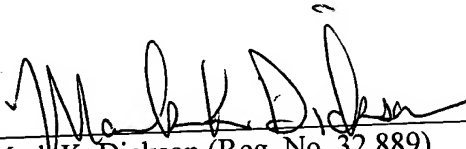
If additional extensions of time under 37 C.F.R. § 1.136 other than those provided for here are required to prevent abandonment of the present patent application, then such extensions of time are hereby petitioned. Should any additional fees be required for any reason relating to this application, the Commissioner is authorized to charge any additional fees, or credit any overpayment, to Deposit Account No. 08-3038, referencing Docket No. 10451.0054.NPUS01.

In order to facilitate the resolution of any issues or questions presented by this paper, Applicant respectfully requests that the Examiner contact the undersigned by telephone to further the discussion at (650) 463-8100.

In order to further promote the prosecution of this application, the Examiner is authorized to contact the undersigned by electronic mail. Please address all e-mail to DicksonM@howrey.com.

Respectfully submitted,

Date: July 1, 2004

  
Mark K. Dickson (Reg. No. 32,889)  
HOWREY SIMON ARNOLD & WHITE LLP  
301 Ravenswood Avenue  
Menlo Park, California 94025-3434  
(650) 463-8100  
Attorney for Applicant